

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
BRYSON CITY DIVISION
CIVIL CASE NO. 2:11-CV-023-MR-DCK**

WILLIAM HOWARD MUSSIO,)
)
 Plaintiff,)
)
 v.)
)
 MICHAEL J. ASTRUE,)
 Commissioner of Social Security,)
)
 Defendant.)
 _____)

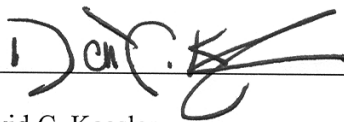
ORDER

THIS MATTER IS BEFORE THE COURT on “Plaintiff’s Motion For Attorney Fees Under The Equal Access To Justice Act” (Document No. 26). This case has been referred to the undersigned Magistrate Judge pursuant to 28 U.S.C. §636(b)(1)(B) and immediate review of this motion is appropriate.

After careful consideration of the motion and the record, the undersigned will order that the motion be denied without prejudice. It does not appear that Plaintiff has satisfied the requirement of consultation pursuant to Local Rule 7.1 (B).

IT IS, THEREFORE, ORDERED that Plaintiff’s Motion For Attorney Fees Under The Equal Access To Justice Act” (Document No. 26) is **DENIED WITHOUT PREJUDICE**. Plaintiff may re-file his motion consistent with the Local Rules.

Signed: August 29, 2012



David C. Keesler
United States Magistrate Judge

